

Applicant : Tiangong Liu et al.
Serial No. : 09/988,059
Filed : November 16, 2001
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Attorney's Docket No.: 13854-053001 / 79569-2

REMARKS

Claims 2-10 and 12-18 are pending. Claims 1-2, 4, 7, 11-12 and 14 have been cancelled. Claims 3, 5, 13 and 15 have been amended. No new matter has been added.

Applicant notes with appreciation the allowance of claims 9, 10 and 18.

Claims 1-8 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for including the limitation "the at least one test pattern" without antecedent basis. Applicant submits that this informality has been corrected with the amendment of claim 3.

The Examiner indicated that claims 3-8 and 13-17 were objected to as dependent on a rejected base claim, but would be allowable if rewritten to include all the limitations of the rejected base claim and any intervening claims. Claim 3 has been amended to include all of the limitations of claims 1-2. Claims 4 and 7 have been cancelled. Claims 5 has been amended to depend from claim 3. Claims 6 and 8 depend, either directly or indirectly, from claim 3. Accordingly, Applicant respectfully submits that claims 3, 5, 6 and 8 are in condition for allowance.

The Examiner indicated that claims 13-17 were objected to as dependent on a rejected base claim, but would be allowable if rewritten to include all the limitations of the rejected base claim and any intervening claims. Claim 13 has been rewritten to include all of the limitations of claims 11 and 12. Claim 14 has been cancelled. Claim 15 has been amended to depend from claim 13. Claims 16-17 depend, either directly or indirectly, from claim 13. Accordingly, Applicant respectfully submits that claims 13 and 15-17 are in condition for allowance.

Claims 1 and 11 were rejected as unpatentable under 35 U.S.C. §102(b) as unpatentable over U.S. Patent No. 5,548,399 to Takai et al., ("Takai"). While Applicant believes these claims to be allowable over Takai, claims 1 and 11 have been canceled.

Claims 2 and 12 were rejected under 35 U.S.C. §103 as obvious over Takai in view of 40 Gbig/s all-optical wavelength converter and RZ-to-NRZ format adapter realized by monolithic integrated active Michelson interferometer by Mikkelsen et al., ("Mikkelsen"). While Applicant believes these claims to be allowable over Mikkelsen, claims 2 and 12 have been cancelled.

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Pursuant to 37 CFR §1.136, applicant hereby petitions that the period for response to the action dated November 9, 2004, be extended for two months to and including April 9, 2005. Please charge the extension fee of \$450.00 to Deposit Account No. 06-1050. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _____

4/11/05



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